

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tiffany Brown	Team: Team # 8	CCRB Case #: 200503559	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 03/26/2005 4:30 AM	Location of Incident: 87th Street and Atlantic Avenue	Precinct: 102	18 Mo. SOL 9/26/2006	EO SOL 9/26/2006	
Date/Time CV Reported Mon, 04/04/2005 2:19 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/04/2005 2:19 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ted Saintgerard	26747	934145	102 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Jude Reimbeau	30682	925976	102 PCT
2. POM Richard Mann	02746	917918	102 PCT
3. POM Juan Rodriguez	20115	882105	102 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ted Saintgerard	Force: PO Ted Saint-Gerard used physical force against § 87(2)(b)	
B.POM Ted Saintgerard	Abuse: PO Ted Saint-Gerard damaged § 87(2)(b)'s property.	
C.POM Ted Saintgerard	Discourtesy: PO Ted Saint-Gerard spoke rudely to § 87(2)(b)	

Synopsis

On March 26, 2005, § 87(2)(b) was involved in a car accident and called 911. PO Saint-Gerard responded and, after running § 87(2)(b)'s license information, arrested § 87(2)(b) for driving with a suspended license. At the precinct, she could not control her behavior and became very talkative as a result of her bipolar disorder. While being transported to Central Booking, PO Saint-Gerard pulled her by her jacket causing it to rip (**Allegations A and B**) and told her to "shut up." (**Allegation C**) § 87(2)(g)

Summary of Complaint

On March 26, 2005, § 87(2)(b) woke up in her car at 430am after napping and continued to drive. At Atlantic Avenue, she asked an unidentified gentleman for directions when suddenly, a car hit her from behind. § 87(2)(b) is bipolar and was getting worried because she was driving her mother's Camry. She pulled over to a pay phone, called 911 and informed the operator that she had been in an accident. PO Saint-Gerard, a tall and dark skinned male, and his partner, a Hispanic officer arrived. She informed the officers that was bipolar. The officers checked § 87(2)(b)'s information and realized her license had expired. They arrested her and took her to the 102nd Precinct. When she realized that she was not going to be out of the precinct in time for her training at Cold Stone Ice Cream at 10am, § 87(2)(b) became "manicky" and could not stop talking, an effect of her disorder. She had not taken her medicine so she kept talking. PO Saint-Gerard pulled her by her jacket when they were leaving the precinct to go to Central Booking. He also told her to shut up. His Hispanic partner had gone home by this time.

§ 87(2)(b) noticed that her jacket was ripped once she got to Holliswood Avenue. § 87(2)(b) wore her jacket to the CCRB interview. The jacket is a black leather waist-length jacket. There are two breast pockets. The left breast pocket button was broken. § 87(2)(b) could not close the pocket.

Results of Investigation

PO Saint-Gerard

PO Ted Saint-Gerard is a § 87(2)(b). He was interviewed at the CCRB on August 9, 2005. On March 26, 2005, he was conducting routine patrol with PO Reimbeau and received a radio call of a car accident with injuries at 87th Street and Atlantic Avenue. When he arrived, § 87(2)(b) stated that she was in her car, fell asleep and a car hit her. She said she had injuries though PO Saint-Gerard did not see any injuries. He requested her license, registration and insurance. The license check returned that § 87(2)(b)'s license had been suspended. PO Saint-Gerard informed § 87(2)(b) that her license was suspended and arrested her. § 87(2)(b) kept saying that she did not know why she was being arrested even after she was told several times. At the precinct, she asked a sergeant why she was being arrested. PO Saint-Gerard lodged her in the cell and handcuffed her to the door. § 87(2)(b) opened the door making a big scene requesting the captain and the lieutenant. § 87(2)(b) mentioned that she was bipolar and could not stop talking. After he was done with the paperwork, PO Saint-Gerard, PO Mann, and PO Rodriguez transported her to Central Booking. From Central Booking, she was taken to EMS for evaluation. At that time, she was labeled as an EDP and taken to § 87(2)(b) for Psychological Evaluation.

PO Saint-Gerard and PO Reimbeau were calm. PO Saint-Gerard never told her to shut up. § 87(2)(b) kept asking why she was being arrested. Her purse and her vehicle were searched after they were vouchered. PO Saint-Gerard never pulled her by her jacket and never used any force against § 87(2)(b) other than placing handcuffs on her.

PO Rodriguez

PO Juan Rodriguez is a § 87(2)(b). He was interviewed at the CCRB on September 16, 2005. PO Rodriguez made an arrest at 315am on March 26, 2005. He transported his prisoner to Central Booking at 9am with PO Saint-Gerard and PO Mann and their respective prisoners. PO Rodriguez stated that they all went to Central Bookings together but he could not remember anything about PO Saint-Gerard's prisoner.

Medical Records

§ 87(2)(b) was admitted to § 87(2)(b) Hospital Center from Central Booking for psychiatric evaluation. An assessment of § 87(2)(b) revealed that she was argumentative, anxious and unhappy to be at the hospital. § 87(2)(b) was treated for her § 87(2)(b) disorder and released on § 87(2)(b)

Police Documents

SPRINT

The SPRINT indicated that at 4:44am on March 26, 2005, § 87(2)(b) called 911 to report a hit and run accident. Sector 102E responded at 4:45am and EMS responded at 4:47am. There was an arrest made at 5:05am.

SPRINT CD

§ 87(2)(b) reported to 911 that she had been in a car accident. § 87(2)(b) kept talking even after the 911-operator told her that “she had to go.” § 87(2)(b) started to ask the operator if she should call GEICO and stated that her doctor told her to call GEICO whenever she is in an accident. § 87(2)(b) only ended the call after the operator told her that she had to take another call.

Roll Call

102nd Precinct Roll Call indicated that PO Saint-Gerard and PO Reimebeau were partners on March 26, 2005 and were assigned to Sector E. PO Mann was also listed on the roll call and working Sector CD with PO Deans.

Command Log Entry

The Command Log Entry indicated that PO Saint-Gerard arrested § 87(2)(b). Her mental and physical condition appeared normal. § 87(2)(b) was released to Central Booking at 9am.

Motor Vehicle Accident Report

The Motor Vehicle Accident Report indicated that § 87(2)(b) was involved in an accident at 87th Street and Atlantic Avenue and that the 2nd party left the scene.

Conclusions and Recommendations

Officer Identification

§ 87(2)(b) identified PO Saint-Gerard from reading his name from his shield. PO Saint-Gerard admitted his involvement in the incident and identified PO Mann and PO Rodriguez as the officers who helped transport § 87(2)(b) to Central Booking.

Undisputed Facts

On March 26, 2005, § 87(2)(b) was involved in a car accident. She called 911 and officers Saint-Gerard and Reimbeau responded. After conducting a license check, PO Saint-Gerard arrested § 87(2)(b) for having a suspended license.

Disputed Facts

What is in dispute is whether PO Saint-Gerard pulled § 87(2)(b)'s jacket causing damage and whether he told her to shut up.

§ 87(2)(g)

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§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

[REDACTED]

[REDACTED]

§ 87(2)(g)

[REDACTED]

Allegation A: PO Ted Saint-Gerard used physical force against § 87(2)(b)

Allegation B: PO Ted Saint-Gerard damaged § 87(2)(b)'s property.

Allegation C: PO Ted Saint-Gerard spoke rudely to § 87(2)(b)

[REDACTED] alleged that while being transported to Central Booking, PO Saint-Gerard pulled her by her jacket thus ripping her pocket and told her to “shut up.” § 87(2)(g)

[REDACTED] In her interview, § 87(2)(b) became emotional when she spoke about her mother who had not missed her while she was gone. Then § 87(2)(b) became excited when she spoke, in detail, about a conversation she had with an unidentified hospital patient, who told her he was going to go to Crown Height and kill all the “niggers.” § 87(2)(b) also admitted that she had to be “drugged” in the hospital because of her behavior. § 87(2)(b) medical records also corroborate § 87(2)(b)'s testimony about her behavior. In an assessment, § 87(2)(b) was described as argumentative, anxious and loud speaking. § 87(2)(b) was treated for her § 87(2)(b) disorder. § 87(2)(g)

[REDACTED]

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: